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**Universal Periodic Review**

# Report of the Working Group on the Universal Periodic Review*

## Hungary

**Addendum**

## Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review

* The present document was not edited before being sent to the United Nations translation services.

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1. The Government of Hungary would like to thank the States for the constructive contributions and the 221 recommendations put forward during the second UPR of Hungary on 4 May 2016 which have been examined by the Government; the result of this process is presented thematically clustered in this Addendum as follows, together with a short explanation:

| *I* | *II* | *III* |
|---|---|---|
| 98 recommendations supported. | 91 recommendations supported as they are already in the process of implementation and part[1] of 12 recommendations are also supported. | 20 recommendations noted. |

## International obligations

2. Hungary constantly assesses the compatibility of its laws with its international obligations. Hungary is already party to the Rome Statute, the consistency has been ensured by the Criminal Code. The draft bill on the promulgation of the Rome Statute has been introduced to the Parliament.

3. Hungary ratified the Refugee Convention and its Protocol, the Stateless Persons Convention, the Reduction of Statelessness Convention, the Nationality of Married Women Convention and the UNESCO Convention to fight discrimination in Education.

4. Unlike ILO convention 169[2], the ratification of ILO convention 189[3] is now subject of national tripartite discussions.

5. Hungary intends to ratify the Istanbul Convention[4] after thorough examination. The ratification of the CED[5] and accepting the competence of its Committee is currently examined. Similarly, before signing the CRC-OPCP[6] it is necessary to review the relevant national law and the institutional background.

6. Hungary guarantees the fundamental rights of all persons present in its territory and is of the view that the ICRMW[7] does not bring added value compared to other instruments in this field to which Hungary has acceded. In the same vein by ratifying ICESCR[8], the European Social Charter and several other relevant instruments (ILO, CoE, EU), Hungary has committed itself to a comprehensive protection system in the field of ESC rights including the possibility to submit complaints on national and regional level. The ratification of the OP-ICESCR[9] is still being examined. The Government wishes to maintain the reservations it made to different conventions for the time being.

| *I.* | *II* | *III* |
|---|---|---|
| 6[10], 3[11], 13[12], 14[13], 15[14], 16[15], 20[16], 26[17], 27[18], 29[19], 134[20]. | 1[21], 2[22], 4[23], 5[24], 8[25]. | 7[26], 9[27], 10[28], 11[29], 12[30], 17[31], 18[32], 19[33]. |

7. Hungary fully cooperates with the Human Rights Council and its mechanisms, it organised all requested visits by HRC mandate holders, responded to all allegation letters and constantly examines the implementation of their recommendations. Hungary submitted on time its periodical reports to the CRPD[34], CEDAW[35] and CRC[36]. The Government strives to eradicate its backlog before its next UPR. Development of a national action plan regarding SC resolution 1325[37] is under consideration.

| I | II | III |
|---|---|---|
| 41[38], 42[39], 43[40], 44[41], 45[42], 136[43], 161[44], 166[45] | 124[46], 163[47] | |

## Protection of human rights

8. Enjoyment of human rights is ensured by the new Fundamental Law. The main rules of functioning, procedure and financial independence[48] of the Constitutional Court are set in the Fundamental Law and in a cardinal act[49].

9. Concerns regarding the independence of the judiciary and rule of law have been remedied after consultations with international organisations, therefore no further legislative actions are necessary. The Government was and is ready for expert debate on these issues, but not for unfounded, biased criticism.

10. The "A" status Commissioner of Fundamental Rights (CFR) is a central element of the Hungarian protection system including monitoring detention places in conformity with the regulations of the OPCAT[50]. Its steadily increasing funding is ensured by the Parliament.

11. The new autonomous Data Protection Authority is supervising the protection of personal data and access to public data. Its status ensures independence as to its organisation, competences, personnel, budget and exercising its tasks. Costs of fulfilment of data requests can only be charged if the fulfilment of the demand involves extensive use of human resources. Restrictions of access to data of public interest are in accordance with international norms.

12. The inter-ministerial Human Rights Working Group (HRWG) monitors human rights in Hungary, advices the Government and observes the implementation of the UPR recommendations. Its Roundtable is composed of 11 thematic sub-working groups with the participation of ministries, the CFR and NGOs. Proposals are submitted to the ministers of state for follow-up action. The Government deems the sectoral human rights strategies (which have been discussed, developed and are continuously assessed with the engagement of civil society) sufficient.

| I | II | III |
|---|---|---|
| 21[51], 28[52], 30[53], 31[54], 150[55], 175[56], 176[57]. | 23[58], 152[59]. | 151[60], 156[61]. |

## Civil society

13. Government proposals for bills and decrees are to be published on its webpage. General consultations are mandatory, direct consultations are optional. In case of a rejected opinion, reasoning for the rejection has to be uploaded. The minister may involve NGOs, churches, minority organisations, professional and scientific organisations, lobby-groups etc. in the drafting process.

14. Human rights of HRDs[62] are respected, including ones promoting the rights of Roma communities, the Government constantly consults with Roma HRDs. The Government Control Office audits the use of public funds. NGOs involved in any investigation have the right to appeal to Court. In line with international regulations there are only certain

transparency and accounting restrictions for NGOs when accessing national or foreign funding.

| I | II | III |
|---|---|---|
| 36[63], 37[64], 38[65], 39[66], 40[67], 164[68], 165[69], 167[70], 168[71]. | 162[72]. | – |

## Family

15. In order to enhance the social security of families and ease the financial burden of bringing up children, the family support system provides a broad scope of benefits. Free or discounted meals are provided for children living in low-income families in educational institutions[73]. Family policies are developed in accordance with gender equality and non-discrimination requirements and are under permanent assessment based upon the necessities of the concerned social groups.

16. According to the Fundamental Law the foundation of family ties are the marriage, and the relationship between parents and children. It also declares that Hungary shall protect the institution of marriage as the union of a man and a woman established by voluntary decision, and the family as the basis of the nation's survival. It is imperative that legislation is in accordance with the Fundamental Law.

| I | II | III |
|---|---|---|
| 22[74]. | 47[75], 170[76]. | 126[77]. |

## Vulnerable groups

17. No child shall be subject to torture, corporal punishment or any other cruel, inhuman or degrading punishment or treatment. The Hungarian child protection service involves the child rights representatives and the independent child protection guardians. The "A" status Fundamental Rights Commissioner also pays special attention to the protection of the child rights, the interests of future generations and the rights of the most vulnerable social groups including minorities. Temporary shelter and care is available for endangered children and their parent(s). The National Institute of Child Health developed new methodology and a counselling website. Anti-abuse programmes and trainings are organised for experts and parents.

| I | II | III |
|---|---|---|
| 33[78], 34[79], 35[80]. | 25[81], 140[82]. | – |

18. The planned new Criminal Procedure Code will include further guarantees to take into account the best interest of the children in the juvenile justice system. The new rules of the Criminal Code regarding detention and reintegration of children, in particular those between the ages of 12-14, are more favourable compared to older offenders.

| I | II | III |
|---|---|---|
| 153[83], 154[84]. | – | 125[85], 141[86]. |

19. The current legislation ensures the participation of women in political life and in decision-making, therefore no further legislative steps are necessary. However, the current comprehensive strategy aims to combat remaining gender stereotypes through new programs, media campaigns and projects for NGOs. Marriage under the age of 16 is not allowed. Between 16-18 years it is possible only with the permission of the Guardianship Office which takes into account the best interest of the child.

| I | II | III |
|---|---|---|
| 39[57], 57[58], 62[59], 64[60], 131[61]. | 53[62], 58[63], 59[64], 63[65], 65[66], 66[67], 68[68], 123[69], 171[70]. | – |

20. Hungary continues preventing violence against women through national strategies and policy actions. Expansion of the system of shelters, new forms of victim support services, intensified awareness-raising and prevention programmes are envisaged. With the ongoing ratification of the Istanbul Convention, current legislation will be updated. A wider range of violence against women, including partnership violence, sexual duress etc. has been included in the new Criminal Code.

| I | II | III |
|---|---|---|
| 131[101], 132[102], 139[103]. | 60[104], 130[105], 133[106], 135[107], 137[108], 138[109]. | – |

21. A new national program is being developed with the aim of strengthening the reproductive health services in particular for vulnerable groups. In case of patients with HIV/AIDS, treatment and prevention of HIV transmission is in focus.

| I | II | III |
|---|---|---|
| – | 172[110]. | – |

22. Hungary will also maintain its commitment to combat human trafficking. Efforts are enhanced due to the migration crisis including cross-border cooperation and victim-protection.

| I | II | III |
|---|---|---|
| 142[111], 143[112], 144[113], 145[114], 146[115], 147[116], 148[117], 149[118]. | – | – |

23. The Fundamental Law obliges the State to introduce specific measures to protect persons with disabilities. A new working group reviews i.e. the regulation and the case law of „supported decision making" and the suffrage issues. Deprivation of the right to vote due to mental status is now possible only by court decision. Mentally incapacitated or partially capacitated persons have the right to receive the appropriate information with respect to their age, mental capacities and psychological status.

| I | II | III |
|---|---|---|
| 177[119], 178[120], 181[121], 182[122], 183[123]. | 179[124], 180[125]. | – |

24. The Fundamental Law and the Equal Treatment Act prohibits discrimination on any ground thus on gender identity and sexual orientation. Coherent jurisprudence of courts is steadily developing. A new independent strategy is not envisaged for the time being. Nevertheless the LGBTI Roundtable of the above mentioned HRWG regularly examines the situation.

| I | II | III |
|---|---|---|
| – | 118[126], 119[127], 120[128], 121[129], 122[130]. | – |

## Minorities including Roma, discrimination, hate acts

25. Fundamental rights are guaranteed at constitutional level without discrimination on any ground. The detailed anti-discrimination provisions can be found in the Equal Treatment Act which is in line with relevant international norms. These rules apply also to participation in political life and in decision-making. An autonomous Equal Treatment Authority monitors and acts upon discrimination cases and exercises its tasks and competences free from any outside influence; its budget is guaranteed by the Parliament.

| I | II | III |
|---|---|---|
| 32[131], 39[132], 52[133], 55[134]. | 49[135]. | – |

26. Hungary is taking comprehensive measures against racial discrimination and segregation. The National Social Inclusion Strategy and its multisector Action Plan includes inclusion policies on child well-being, education, employment, health, housing as well as integration, awareness-raising. These measures[136] put special emphasis on Roma women and children. The 2nd Action Plan (2015–2017) takes steps for broader social inclusion in particular in the labour, cultural, political and educational sectors. Health care is provided equally for each and every entitled person without any discrimination including ethnicity.

| I | II | III |
|---|---|---|
| 50[137], 51[138], 54[139], 56[140], 67[141], 71[142], 72[143], 84[144], 89[145], 94[146], 95[147]. | 61[148], 85[149], 87[150], 88[151], 90[152]. | – |

27. Hungary guarantees protection of national minorities at constitutional level. Details are regulated in a cardinal act. According to the Venice Commission[153] this act "confirms Hungary's internationally recognised commitment to minority protection". The new electoral law introduced preferential mandates in the Parliament: nationalities' candidates need ¼ of the number of votes required for a majority mandate. Should a nationality fail to achieve this number, they may delegate a nationality advocate ("spokesperson"). This system ensures a fair balance between the rights of national minorities, the individual citizens' right to self-determination and the transparency of elections.

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|---|---|---|
| 93[154]. | – | – |

28. Hungary offers free mother tongue education for minorities as well as guarantees teaching minority culture. To improve access to quality education the Government introduced several measures and programs in partnership with minority representatives to support disadvantaged students, including Roma.

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|---|---|---|
| 70[155], 73[156], 75[157], 92[158]. | 76[159], 81[160], 82[161], 86[162], 91[163], 173[164], 174[165]. | – |

29. The Government takes stern action[166] against hate acts. The new Criminal Code contains enhanced provisions[167] against anti-Semitism, hate speech and action against violations of freedom of conscience and religion. In addition, the new Civil Code also provides the possibility for individuals and communities to launch civil law suits. Training is provided for judges and prosecutors to enhance measures against hate crimes. A specialized police unit monitors the media and evaluates investigation data to signal possible hate crime acts as well as advises other police units. The Working Group against Hate Crimes serves as a forum for cooperation between the Government and relevant NGOs. The National Victim Service provides assistance for victims of crimes including hate crimes.

| I | II | III |
|---|---|---|
| 77[168], 78[169], 97[170], 98[171], 99[172], 102[173], 103[174], 108[175], 110[176], 111[177], 112[178], 113[179], 114[180], 115[181], 116[182], 117[183]. | 46[184], 48[185], 107[186], 109[187]. | – |

30. Since 1989, the provisions of the Criminal Code sanctioning hate crimes extend to actions committed against the dignity of the Hungarian nation. The Fundamental Law and the case-law of the Constitutional Court ensures the balance[188] between freedom of speech and right to dignity of national, ethnic, racial or religious groups.

| I | II | III |
|---|---|---|
| 104[189]. | – | – |

## Asylum seekers and migrants

31. Hungary grants asylum and established procedures in line with international and regional standards, including the 1951 Refugee Convention. Hungary firmly believes that protection should be provided for those who are in real danger, with special attention to women and children. The Government is striving to improve the living conditions of refugees and asylum seekers. Care and support provided, are in line with EU and international regulations[190].

| I | II | III |
|---|---|---|
| – | 69[191], 74[192], 80[193], 83[194], 96[195], 100[196], 101[197], 105[198], 106[199], 184[200], 186[201], 188[202], 189[203], 190[204], 192[205], 193[206], 194[207], 195[208], 196[209], 197[210], 198[211]. | – |

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|---|---|---|
| | 199[212], 203[213], 204[214], 205[215], 206[216], 208[217], 209[218], 210[219], 211[220], 213[221], 214[222], 215[223], 216[224], 218[225]. | |

32. Detention of asylum seekers is exceptional[226] and serves as a last resort to ensure the presence of the applicant. Alternative measures[227] are used as a priority before detention. Families with children may only be detained exceptionally and for a maximum of 30 days, if it is in the best interest of the child. Care of unaccompanied minors is ensured in the frame of child protection service. Legal representation is provided by child protection guardians. The system complies with international standards[228]. The legitimacy of the detention is ensured by continuous judicial control. Asylum applicants are separated from detainees.

| *I* | *II* | *III* |
|---|---|---|
| – | 191[229], 201[230], 212[231], 217[232], 219[233]. | 187[234], 207[235]. |

33. Any excessive use of force can be challenged by the person concerned at the chief of the police unit, the head of the detention center, the prosecutor or the court. A complaint can also be launched at the Independent Police Complaints Body. As the National Preventive Mechanism according to OPCAT, the Ombudsman also regularly examines detention centers. Similar rules apply for military personnel.

| *I* | *II* | *III* |
|---|---|---|
| – | 202[236]. | 79[237], 128[238]. |

34. Hungary participates in voluntary resettlement schemes. Numerous refugees were resettled form Ukraine, Lebanon, Turkey and Jordan. "Illegal entry" is not criminalised in Hungary only if it is performed by breaking through the technical barrier protecting the selected section of the State border. Otherwise, illegal border crossing is not a criminal offence, but an infraction, which is only punishable by fine or community service. Rules on transit zones and safe countries are in line with the relevant provisions of the Common European Asylum System.

| *I* | *II* | *III* |
|---|---|---|
| 185[239]. | – | 200[240], 207[241], 220[242]. |

## Other

35. The Government was and is ready for dialogue in order to address concerns raised regarding the new media regulation which was extensively discussed with relevant international organisations. As a result, current rules contain exclusively such limitations which are in line with international law, thus CoE acknowledged that the Hungarian media law had been significantly improved.

| *I* | *II* | *III* |
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| – | 155[243], 157[244], 158[245], 159[246]. | – |

| | | |
|---|---|---|
| | 160[247]. | |

36. Hungary continuously makes efforts to eliminate overcrowding in prisons. 757 new prison places were built between 2013 and 2015. In addition, 4374 new places will be established resulting in almost full elimination of overcrowding by 2020. In parallel, alternative measures and reduction of pre-trial detention are increasingly used, which also reduces prison population.

| *I* | *II* | *III* |
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| – | 127[248], 129[249]. | – |

37. Supporting young employees and entrepreneurs, promoting training programmes are priorities. Through the Youth Guarantee Initiative 24 higher education institutions are providing training programs and have cooperation agreement with more than 500 companies allowing students to acquire experience. Another initiative fosters the return of employees working in public administration to the primary labour market.

| *I* | *II* | *III* |
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| – | 169[250]. | – |

38. Sustainable and peaceful solution of conflicts necessitates genuine political will of the parties involved instead of military or economic pressure. Companies operating in the territory of parties should observe the UN Guiding Principles on Business and Human Rights which Hungary is currently incorporating into its national regulations.

| *I* | *II* | *III* |
|---|---|---|
| – | – | 24[251]. |

39. Hungary is steadily increasing its ODA contribution despite austerity measures adopted each year since 2006. The current level is 0.11%.

| *I* | *II* | *III* |
|---|---|---|
| 221[252]. | – | – |

*Notes*

[1] Supported parts of these recommendations are underlined in relevant footnotes.
[2] Indigenous and Tribal Peoples Convention, 1989.
[3] Domestic Workers Convention, 2011.
[4] Council of Europe Convention on preventing and combating violence against women and domestic violence.
[5] International Convention for the Protection of All Persons from Enforced Disappearance.
[6] Optional Protocol to the Convention on the Rights of the Child on a communication procedure.
[7] International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.
[8] International Covenant on Economic, Social and Cultural Rights.
[9] Optional Protocol to the International Covenant on Economic, Social and Cultural Rights.
[10] Ratify the Istanbul Convention.

[11] Accept the competence of the Committee on Enforced Disappearances, in conformity with Articles 31 and 32 of the ICPPED.
[12] Consider acceding to the UN Convention on Enforced Disappearances.
[13] Accelerate the process of accession to the International Convention for the Protection of All Persons from Enforced Disappearance.
[14] Ratify the International Convention for the Protection of All Persons from Enforced Disappearance.
[15] Step up the process of consultations concerning the accession to ICPPED, as previously recommended.
[16] Fully align domestic legislation with the Rome Statute through explicit provisions on the duty to cooperate promptly and fully with the Court.
[17] Assess the compatibility of its policies and laws with its international obligations including all core principles of human rights to which Hungary is a party.
[18] Continue the efforts to harmonize national legislation with international standards in the field of human rights.
[19] Deepen its commitment with the International Criminal Court through adapting its national legislation to the Rome Statute.
[20] Strengthen efforts to combat violence against women, inter alia, by ratifying the Istanbul Convention.
[21] Widen the scope of international obligations through accession to the remaining international treaties, such as ICRMW, ICPPED, OP-CRC-IC and OP-ICESCR.
[22] Consider ratifying the ICRMW, ILO Convention 189, and the Optional Protocol to the Convention on the Rights of the Child on a communications procedure.
[23] Consider ratifying the ICPPED, the OP-CESCR and the ICRMW.
[24] Become party to the ICRMW, the Rome Statute of the International Criminal Court, the Conventions on the refugees and stateless persons, the ILO Convention 169 and the Convention to fight discrimination in Education.
[25] Ratify the Istanbul Convention without delay.
[26] Withdraw its reservation on pertinent articles of the ICERD, ICESCR, ICCPR and the Optional Protocol to the CRC on children in armed conflict.
[27] Sign and ratify ICRMW.
[28] Ratify the International Convention on the Protection of the Rights of all Migrant Workers and Members of their Families.
[29] Consider ratifying the ICRMW.
[30] Ratify ICRMW, as previously recommended.
[31] Ratify the Optional Protocol to the Convention on the Rights of the Child on a communication procedure.
[32] Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights.
[33] Ratify the OP-ICESCR.
[34] Convention on the Rights of Persons with Disabilities.
[35] Convention on the Elimination of Discrimination against Women.
[36] Convention on the Rights of the Child.
[37] United Nations Security Council Resolution 1325 on women, peace and security.
[38] Continue with the efforts aimed at ensuring timely cooperation with treaty bodies, regarding the submission of its over-due national reports.
[39] Submit overdue reports to CERD, Committee on Economic, Social and Cultural Rights and to the Human Rights Committee.
[40] Intensify efforts aimed at implementing recommendations of treaty bodies and special procedures including CEDAW, CRC, Special Rapporteur on Racism and the Working Group on Arbitrary Detention.
[41] Take appropriate measures to progressively reduce the existing backlog of overdue reports to the UN Treaty Bodies.
[42] Submit overdue reports to the Human Rights Committee, CESCR and CAT.
[43] Adopt a National Action Plan on Security Council Resolution 1325 on Women, Peace and Security.
[44] Give full consideration to the recommendations of the UN Special Rapporteur on the Situation of Human Rights Defenders.
[45] Positively consider and implement the recommendations presented by the Special Rapporteur on human rights defenders.

[46] Follow the recommendations of the 2014 OSCE election observation mission's final report.
[47] Implement recommendations made by UN Special Rapporteur on Freedom of Peaceful Assembly and Association regarding governmental oversight and regulations of NGOs.
[48] i.e. The budget of the Constitutional Court shall not be less than the budget allocated in the central budget of the previous year.
[49] Adoption of a cardinal act requires the votes of 2/3 majority of the Parliament. Probably the most important change concerning the rules on the competences of the Constitutional Court is the abolition of *actio popularis* and parallel, the alteration of the institution of constitutional complaint. Before the adoption of the Fundamental Law the core competence of the Court was the *ex post* review of the conformity of pieces of legislation with the Constitution, as anyone – even without a legal interest – was entitled to submit a petition asking the constitutional review of a legal norm. Abolition of this general right was even demanded by the Court itself because of the extent of its caseload. According to the new rules, such a proceeding can only be initiated by the Government, 1/4th of all Members of Parliament, the President of the Supreme Court, the Prosecutor General or the Commissioner for Fundamental Rights. At the same time, constitutional judges also urged the introduction of the „real", that is, the German type of constitutional complaint. It may be lodged at the Court mainly when a right guaranteed by the Fundamental Law of the petitioner is violated by a judicial decision. The Venice Commission examined the modification of the regulation on the Court and on the whole it formed a positive opinion.
[50] Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.
[51] Continue further improvement of the protection and promotion of human rights in the country.
[52] Continue to promote and protect the fundamental freedoms and human rights of all its citizens.
[53] Consider developing Human Rights Indicators as suggested by the OHCHR as an instrument that allows for a more precise and coherent evaluation of national human rights policies.
[54] Consider increasing the funding of the National Preventive Mechanism, in order to support its work and the detention monitoring activities.
[55] Take concrete measures to ensure the independence of the Constitutional Court and the protection of human rights and fundamental freedoms, and that political pressure is not being applied to judicial decision-making.
[56] Ensure that the implementation of objectives set up in the 2014 National Strategy on Public Education are in line with the objectives and goals of the SDGs.
[57] Ensure the inclusion of human rights and especially children's rights in the public education system, raising awareness about human rights in general.
[58] Develop and implement a National Action Plan on Human Rights to further ensure systematic and comprehensive approach for the promotion and protection of human rights, with the full engagement of the civil society.
[59] Continue to pursue implementation of the UN Basic Principles on the Independence of the Judiciary and repeal all provisions of national law that restrict the Constitutional Court's jurisdiction.
[60] Implement reforms on judicial independence and rule of law recommended by the International Bar Association Human Rights Institute in 2015.
[61] Revise transparency laws to reinstate a freedom of information parliamentary ombudsman, and ex ante reclaiming of labour costs for processing information requests, and limit public institutions' authority to refuse access to public data.
[62] Human rights defenders.
[63] Ensure consultation processes which allow a public debate and interaction with the independent civil society, with sufficient time during the drafting of new laws and public policies.
[64] Engage in consultation with pro-transparency organisations and other relevant stakeholders prior to developing or implementing new legislation on Freedom of Information.
[65] Refrain from targeting or restricting the activities of civil society organisations based on their political affiliation or their receipt of foreign funding.
[66] Adopt measures to comply with provisions of the new Constitution including on combating discrimination and ensuring equal participation in political and public affairs by all citizens.
[67] Improve both formal and informal dialogue and public consultation between the Government and civil society, including on proposed legislation with an impact on human rights.
[68] Review and abolish all legal provisions that restrict the rights of human rights defenders promoting

the rights of the Roma community.

69 Ensure the prompt and independent investigation of all alleged violations against human rights defenders.

70 Remove all administrative and legislative provisions that restrict the rights of the Human Rights Defenders and ensure that civil society organizations can operate freely and without discrimination or undue restriction.

71 Take steps to ensure that civil society organizations freely can access and utilize funding, including from foreign sources.

72 Take measures allowing the exercise of the lawful activities of human rights defenders, in a favourable legal and administrative environment.

73 In nurseries, kindergartens, primary and secondary schools.

74 Continue to provide protection to the family as the natural and fundamental unit of the society.

75 Reconsider policies on family, gender equality and non-discrimination.

76 Provide greater support for poor families and children and reduce social inequality.

77 Amend the legislation on the protection of families in order to widen the definition of family.

78 Continue to implement measures to protect the rights of the child.

79 Enhance measures to protect the rights of children, women and other vulnerable groups.

80 Consider establishing independent mechanism for monitoring children's rights and providing necessary financial resources for its functioning.

81 Step up efforts to establish a mechanism to monitor measures to help address and ameliorate the conditions of women and children.

82 Abandon the practice of corporal punishment of children and encourage non-violent forms of discipline.

83 Take necessary measures for strengthening its specialized juvenile justice system in compliance with the Convention on the Rights of the Child.

84 Continue efforts for the reintegration of former child offenders in the society.

85 Reinstate juvenile courts and raise the age of criminal responsibility to 14 years, for all crimes, in line with international standards.

86 Consider raising the age of criminal responsibility from 12 to 14 years, even for the most serious crimes.

87 Adopt measures to comply with provisions of the new Constitution including on combating discrimination and ensuring equal participation in political and public affairs by all citizens.

88 Take further measures to reduce the inequality between sexes, sensitize the population in this regard and ensure that these measures are effectively implemented.

89 Take concrete measures to improve access to decent work for all women, eliminate all discrimination against women at work, and create more socioeconomic opportunities for disenfranchised women.

90 Continue to make efforts to ensure women's participation in political life and in decision-making.

91 Take additional measures to effectively combat violence against women and promote the participation of women in political life and their insertion in the professional life.

92 Intensify activities aimed at overcoming gender stereotypes.

93 Continue to take action towards a comprehensive gender equality strategy and introduce effective legislative measures to increase women's participation in political life and decision-making.

94 Redouble its efforts towards combating stereotypical division of gender roles in family and society.

95 Introduce effective legislative measures to increase women's participation in political life and decision-making.

96 Establish effective legislative measures, such as quotas, to improve the participation of women in political life and decision-making processes.

97 Adopt a comprehensive, human rights based gender equality strategy.

98 Support the gender integration in all spheres of life.

99 Raise the legal age of marriage for women and men to 18 years.

100 Take further steps to ensure better labour market access and access to basic social and health services for marginalized women, including women with disabilities, Roma women and migrant women.

101 Take additional measures to effectively combat violence against women and promote the participation of women in political life and their insertion in the professional life.

102 Continue efforts, including by raising awareness, in order to prevent domestic violence and violence against women.

103 Take concrete measures to protect child victims of sexual exploitation and prostitution.
104 Adopt a comprehensive law on domestic violence.
105 Consider adopting a law on domestic violence and criminalizing different types of violence against women.
106 Promote public policies to prevent violence against women and girls, including domestic violence and sexual violence.
107 Establish a law to criminalise all forms of violence against women.
108 Define rape criminally based on the lack of voluntary consent in addition to reinforcing and making more accessible to victims the health care services.
109 Criminalize different types of violence against women, to amend the Criminal Code to ensure that rape is defined according to the CEDAW recommendations.
110 Continue to enhance access to sexual and reproductive health services for women, in particular women with disabilities, women with low income, women with HIV/AIDS, and women living in the rural areas.
111 Enact laws and legislation aiming at combating human trafficking.
112 Ensure the prosecution and punishment of perpetrators of human trafficking, and provide adequate assistance and protection services to victims.
113 Continue its efforts in order to strengthen the protection of victims of trafficking.
114 Take steps to reduce and prevent trafficking and provide adequate incentives and protection to victims.
115 Take additional measures to combat trafficking in human beings.
116 Intensify efforts to effectively prevent trafficking in women and girls and strengthen measures for the rehabilitation and social integration of victims of trafficking.
117 Take measures to ensure the effective investigation and prosecution of human trafficking cases and establish remedy procedures for the victims.
118 Strengthen mechanisms to prevent the trafficking in boys and girls and provide the support needed for victims of trafficking to be reintegrated into society.
119 Strengthen efforts to provide access to education, labour market and public life for persons with disabilities.
120 Continue the path regarding positive results achieved in ensuring the rights and equal opportunities of persons with disabilities by, inter alia, allocating sufficient resources for the development of an inclusive education system for children with disabilities and providing sufficient and adequate support services in local communities to enable persons with disabilities to live independently.
121 Consolidate programmes to ensure a system of inclusive education for children with disabilities throughout the country.
122 Take further measures to improve access of persons with disabilities to social, economic and cultural life and combat discrimination on the grounds of disability.
123 Adopt measures in order for any health decision to depend upon the free and informed consent of the concerned disabled person.
124 Review all relevant legislations, including the State's new Fundamental Law to ensure that all persons with disabilities have a right to vote, and that they can participate in political and public life on an equal basis with others.
125 Review legislations to ensure that all persons with disabilities have a right to vote, and that they can participate in political and public life.
126 Adopt and implement a comprehensive strategy and action plan to tackle discrimination based on sexual orientation and gender identity.
127 Adopt a strategy and a comprehensive plan of action to counter discrimination based on sexual orientation and gender identity.
128 Take comprehensive measures to counter discrimination on the grounds of sexual orientation and gender identity.
129 Fight against discrimination based on the origin, gender and sexual orientation, by continuing its efforts in the implementation of the existing instruments.
130 Adopt a comprehensive strategy in order to combat discrimination based on sexual orientation and gender identity.
131 Provide adequate resources and functional independence to the Equal Treatment Authority.
132 Adopt measures to comply with provisions of the new Constitution including on combating

discrimination and ensuring equal participation in political and public affairs by all citizens.

[131] Enact comprehensive legislation that fully guarantees the application of the principle of non-discrimination and to ensure the full enjoyment of all human rights by every member of society.

[132] Provide the national mechanism for the promotion of gender equality of adequate human and financial resources to enable it to effectively fulfil its mandate.

[133] Continue efforts in following up and monitoring any discrimination based on sex, race or any other form.

[134] Children's Centres, Tanoda network, Integrated Pedagogical System, For the Road program, Network of Christian Roma Vocational Boarding Schools. The Hungarian social land program, which is unique in European social policy, has been remodelled and expanded in 2015. Numerous measures programs for the Roma women are in place: Woman is the chance, Roma girls (preventing early school leaving), support Roma women NGOs, improving the health of Roma girls and decreasing the likelihood of their victimization, the Network of Family, Equal Opportunity and Volunteer Houses will be upheld continuously with the primary aim of promoting social tolerance and diversity..

[135] Continue to implement National Social Inclusion Strategy.

[136] Take all the necessary measures to fully implement the National Social Inclusion Strategy.

[137] Take effective measures to address the needs of women belonging to minorities, such as Roma women, in order to eliminate all forms of discrimination against them.

[138] Address the discriminatory situation of women belonging to minorities, including Roma women.

[139] Continue the implementation of Roma integration policies in all social economic cultural political and educational sectors.

[140] Implement a comprehensive plan of action envisaged to protect the rights and improve the life conditions of women and children pertaining to ethnic minorities.

[141] Step up the efforts to combat all forms of discrimination and favour equality of opportunities and treatment, with special care and attention to those who are in a more vulnerable situation, such as persons belonging to the Roma community.

[142] Undertake further steps to promote efforts to overcome residual social discrimination against Roma and other ethnic minorities.

[143] Intensify efforts to combat discrimination and ill-treatment of Roma and eliminate segregation of Roma girls in the educational system.

[144] Include specific components in public policies and budgets to address the needs of persons belonging to minorities, including Roma women and children.

[145] Adopt more policies and allocate more resources specifically directed towards Roma women and children.

[146] Take further steps to address root causes that affect the rights of women belonging to disadvantaged groups.

[147] Take effective steps to end discrimination against Roma in education, health, employment, housing and access to services with a special focus on ending continued segregation of Roma children at schools.

[148] Step up efforts to effectively prevent and combat discrimination of persons belonging to national minorities, in particular regarding their access to education and health care.

[149] Take further steps to eliminate discrimination against the Roma population, especially in the field of education, health, employment, housing and access to services.

[150] Take measures to prevent and eliminate racism, racial discrimination, xenophobia and others.

[151] European Commission for Democracy through Law.

[152] Ensure that, in the context of the new legislation adopted in 2011, following the UPR 2011 recommendations, the self-governments truly represent the persons of national minorities on whose behalf they act.

[153] Take all necessary measures to eliminate racial discrimination and segregation of Roma in education.

[154] Step up efforts to address discrimination and social exclusion faced by persons belonging to the Roma minority with particular emphasis on integrated schooling and social housing.

[155] Continue to pay special attention to issues related to the elimination of discrimination of the Roma who study in the education system.

[156] Continue its efforts to integrate the adult Roma population in the labour market and the Roma children and young people in the regular education system.

159 Take measures to eliminate any discrimination and segregation in the education system against Roma children.

160 Take resolute measures to put an end, without further delay, to the continuing segregation of Roma children at school.

161 Take active measures to prevent actual segregation of Roma students in public and private schools.

162 Strengthen its efforts to promote tolerance and cultural understanding of the Roma population in the aim of eliminating discrimination including in regard to access to education and employment and participation in politics.

163 Continue the work to further social and economic integration of the Roma population, reduce direct and indirect school segregation of Roma children and actively promote Roma participation in society through education.

164 Effectively implement ongoing national policy to guarantee quality education for minority.

165 Ensure that the standards of education in national minorities' languages as well as teaching of minorities languages are the same as the general standards of education in the country.

166 The Jewish Community Roundtable, the consultative forum created in 2011, helps to take joint and efficient action against conducts of anti-Semitism, racism and xenophobia. The Action and Protection Foundation participates in the work of the Roundtable, and its Brussels Institute, commissioned and financed by the Government, continuously monitors anti-Semitic hate crime acts and informs thereof the members of the Roundtable and the Prime Minister's Office, working in close cooperation with the Roundtable. All Government agencies are open and ready for close cooperation with the Jewish organisations.

167 Violent hate crime (§ 216), inciting hatred against a community (§ 332), denial in public of the crimes committed by the National Socialist or Communist regimes (§ 333).

168 Take effective measures to ensure the Hungarian National Police and the hate-crimes expert net improve the enforcement of laws against hate crimes, including by allocating sufficient resources, undertaking thorough investigations and prosecution; and by providing training for the front-line law enforcement.

169 Protect persons who are marginalized and most vulnerable from intolerance, xenophobia, and other forms of discrimination.

170 Carry out the work to eliminate expressions of hatred, racial and religious discrimination.

171 Intensify national efforts to prevent and eliminate all manifestations of anti-Semitism and take resolute measures to condemn hate speech, including against Roma.

172 Take action against the worrying increase and public use of hate speech, most often addressed at migrants, asylum seekers but also civil society organizations and vulnerable groups.

173 Apply effectively policies against racism and hate speech.

174 Implement effectively its legislation and policies against hate speech and hate crimes with particular focus on the human rights protection of Roma, Jews, LGBTIs and other vulnerable groups.

175 Identify efforts to combat all forms of discrimination and to ensure that hate crimes motivated by racism, xenophobia or other forms of discrimination are effectively investigated and perpetrators are brought to justice.

176 Enhance inter-ethnic, inter-religious, and inter-cultural understanding within the society, and ensure access to justice for victims of racial hatred or violence.

177 Further strengthen measures to combat hate speech and hate crime.

178 Strengthen measures to avoid hate speeches of all kinds in political messages and in the media.

179 Combat hate speech and statements stigmatizing refugees and asylum seekers.

180 Prevent and combat racism and hate speech, including through human rights education and training, and by promoting tolerance.

181 Enhance its efforts to prevent and root out all kind of national and ethnic intolerance, as well as condemn any incitement to ethnic and religious hatred and hate speech against the Roma in particular.

182 Implement strategies aimed at tackling hate speech and xenophobia in all its forms.

183 Continue to fight anti-Semitism, and to oppose any attempt to relativize or rehabilitate anti-Semite policies in the past and present.

184 Continue to strengthen measures to promote tolerance and respect for cultural diversity and to counter prejudice, stereotypes, discrimination, racism and Islamophobia.

185 Continue efforts to sensitize the public to combat discrimination on all grounds online to ensure that all rights are respected.

186 Adopt a hate crime investigation protocol and ensure that victims of hate crimes have effective access to the mechanisms of justice and redress.

187 Further step up efforts to publicly condemn hate speech, including against Roma.

188 The Fourth Amendment of the Fundamental Law has added two essential elements to the provision defining freedom of expression. One of these – according to which exercising the freedom of expression and opinion cannot be aimed at violating other person's human dignity. The Amendment stipulates this constitutional principle, and does not overrule earlier constitutional interpretations, which, for instance, established more stringent conditions with respect to public actors. The other innovation of the Amendment provides members of national, ethnic, racial or religious groups the possibility to bring action before the court against any statement considered injurious to the group alleging violation of their human dignity.

189 Ensure that the constitutional amendment prohibiting speech that would violate the dignity of the Hungarian nation cannot be used to silence criticism and limit freedom of expression as guaranteed under the ICCPR.

190 The asylum authority provides accommodation and care for asylum seekers during the asylum procedure including free health care, support for education, housing, social services, the acquisition of citizenship etc.

191 Strengthen its measures to combat racism and discrimination in all its forms against migrants and asylum seekers.

192 Establish a comprehensive integration strategy for migrants, with specific measures to prevent and eliminate racism, racial discrimination, xenophobia and intolerance against migrants irrespective of their status.

193 Continue to take specific measures to prevent and eliminate racism, racial discrimination, xenophobia and intolerance against migrants, refugees and asylum seekers.

194 Redouble efforts to prevent and eliminate racial discrimination, xenophobia and the intolerance against migrants, refugees and asylum seekers.

195 Continue the efforts to combat hate speech, racism, xenophobia and all forms of discrimination against refugees and migrants.

196 Intensify its efforts to combat xenophobia, islamophobia and refugee hatred, and take the necessary measures to condemn hate speech.

197 Take resolute measures to condemn hate speech, racial discrimination, xenophobia and intolerance against all minority groups, migrants and asylum seekers.

198 Take all the necessary measures to combat violence linked to racial discrimination, as well as hate crimes and speeches, including against refugees and migrants.

199 Cease anti-immigration campaigns and rhetoric of incitement to hatred, xenophobia and anti-Semitism and take measures to fight against hate speech and hate crimes in general.

200 Take all steps necessary to ensure that the right to seek asylum is guaranteed for asylum seekers coming to Hungary and that the principle of non-refoulement is respected.

201 Ensure that migrant and asylum-seeking women receive adequate assistance.

202 Advance in measures of assistance and promotion of the rights of migrants, refugees and asylum seekers, in compliance with current international standards.

203 Reform its legislation to ensure full respect of the principle of non-refoulement.

204 Ensure that its legal framework and actions concerning asylum seekers, refugees, and migrants comply with Hungary's international human rights obligations, including with regard to procedural safeguards. This includes repealing those amendments to Hungary's Asylum Law, Law on Criminal Procedure and Criminal Code that are inconsistent with its international human rights obligations.

205 Develop actions that improve the living conditions of asylum seekers and prevent discrimination on the grounds of nationality or country of origin.

206 Continue to improve the living conditions of migrants, refugees and asylum seekers.

207 Ensure the inclusion of a human rights approach in the measures to address the migrant situation, taking into particular account the situation of vulnerable population.

208 Apply a dignified and human treatment that respects the universal principles of human rights for people in situation of human mobility, whether migrants or refugees, with special emphasis on strengthening and implementing policies to address trafficking of persons from a holistic approach , particularly regarding women, children and other vulnerable groups, as well as to combat all forms of discrimination, with measures including complaint an denunciation mechanisms for victims that

enable them to achieve reparations.

209 Ensure that all issues related to migration, asylum seeking and border management are addressed in accordance with respective obligations under applicable international law.

210 Fully respect its obligations under international law by guaranteeing the right to seek asylum through an individual, effective process without discrimination.

211 Improve the capacity to guarantee every person the possibility to request international protection in a legal way, and create conditions for the medical and psychological treatment of asylum seekers, especially those who were victims of torture and violence.

212 Fully implement international Conventions and standards for the protection of refugees and asylum seekers.

213 Work together with the other European States to improve the conditions and treatment given to asylum seekers and refugees.

214 Make every effort to pay due attention to the human rights of asylum seekers and to avoid using disproportionate force on migrants and refugees.

215 Redouble efforts in order to guarantee the respect of the human rights of migrants, including persons under irregular situation.

216 Implement with no exception the principle of non-refoulement in the context of asylum seeking procedures.

217 Comply with the principle of non-refoulement.

218 Take measures to work towards improving the living conditions for refugees and asylum seekers.

219 Strengthen efforts in addressing issues of irregular migrants in the country in line with international human rights law obligations.

220 Improve the living conditions of asylum seekers and step up efforts directed towards improving the treatment of asylum seekers and refugees.

221 Review legislation on the rights of migrants and asylum seekers in accordance with Hungary's obligations under international and European Law and to better apply existing internal rules, namely those related to the handling of unaccompanied children.

222 Make efforts to ensure transparency and consideration for human rights, in particular those of women and children, in its treatment of migrants and refugees.

223 Ensure that enforcement authorities comply with international human rights obligations in the treatment of migrants and asylum seekers, and expedite the judicial process to avoid prolonged detention of migrants and asylum seekers.

224 Continue the efforts to improve the treatment of migrants and asylum seekers.

225 Continue to fulfil its international human rights obligations regarding asylum seekers, refugees and migrants.

226 Till April 2016, out of 10.555 asylum seekers only 892 were detained.

227 Designated place of residence, asylum bail, regular reporting before the refugee authority.

228 Relevant UNHCR recommendations, EU legislation, jurisprudence of the European Court of Human Rights and the Court of Justice of the EU.

229 Seek alternatives to detaining asylum seekers and migrants, particularly children. Take immediate and effective measures to ensure that conditions of detention are fully consistent with UN Standard Minimum Rules for the Treatment of Prisoners.

230 Take immediate action to improve national asylum system, including by elaborating a national action plan, to avoid continuation of harsh conditions of detention and treatment of asylum seekers and refugees.

231 Take all the necessary steps to address the placing of asylum-seeking and migrant children in detention, including by repealing relevant legislation allowing for the detention of families accompanied by children.

232 Take steps to ensure that detention of asylum-seekers is used only in exceptional cases, the procedure for detention is transparent and comprehensible, and that detainees have access to effective legal remedy.

233 Strengthen its efforts to improve the detention conditions of migrants and asylum seekers, including by refraining from excessive use of force, ill-treatment, and prolongation of detention periods; and also to adopt a comprehensive integration strategy for their early stage integration.

234 Eliminate detention in penitentiary establishments of asylum seekers and refugees.

235 Repeal the amendments to the Criminal Code that criminalizes "illegal entry" and introduces "transit

zones" at the border and a list of "safe countries".

230 Ensure the prompt and impartial investigation of any excessive use of force in policing the border operations, including by the military.

231 Lift the measures in force that imply the discrimination and rejection of migrants and refugees, in particular those concerning to the use of force against them.

232 Take measures to address the persistence of preventive detention in police centres and the high risk of ill-treatment.

233 Decriminalize the access to its territory for persons wishing to file a request for asylum, and process the asylum applications individually and in a non-discriminatory fashion, in compliance with its international obligations.

234 Actively participate in the refugee resettlement / humanitarian admission process directly from Turkey to the EU, as this is actually the only way to save lives and crack down criminal networks of smugglers.

241 Repeal the amendments to the Criminal Code that criminalizes "illegal entry" and introduces "transit zones" at the border and a list of "safe countries".

242 Revise the national list of safe countries in order to avoid the high number of unadmitted requests that have been pointed out by the Helsinki Committee of Hungary.

243 Remedy the shortcomings in the media law as expressed by the Venice Commission.

244 Take concrete steps to promote pluralism of the media and their independent work, including the exercise of their watchdog function.

245 Take the necessary measures to promote media pluralism and fight threats against freedom of the press and freedom of expression.

246 Take appropriate measures to further relax restrictions on the freedom of the media.

247 Amend the media law in line with previous recommendations to ensure that all media laws are in line with the right to freedom of opinion and expression.

248 Intensify efforts to prevent overcrowding in prisons.

249 Reduce the length of the initial pre-trial detention phase.

250 Maintain its commitment to the realization of the right to work for all including through technical and vocational training for young people.

251 Ensure that its policies, legislation, regulations and enforcement measures effectively serve to prevent and address the heightened risk of business involvement in abuses in conflict situations, which includes situations of foreign occupation.

252 Increase level of ODA.